

NEWINGTON TOWN PLAN AND ZONING COMMISSION

February 8, 2012

Regular Meeting

Chairman Pruett called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in Conference Room L101 at the Newington Town Hall, 131 Cedar Street, Newington, Connecticut.

I. ROLL CALL

Commissioners Present

Commissioner Anest
Commissioner Camerota
Commissioner Hall
Commissioner Lenares
Chairman Pruett
Commissioner Sobieski
Commissioner Woods
Commissioner Aieta

Commissioners Absent

Commissioner Camillo

Staff Present

Ed Meehan, Town Planner
Chris Greenlaw, Town Engineer

Chairman Pruett: I'd like to introduce Chris Greenlaw, he's our engineer. He'll be sitting in with us in the absence of our Town Planner later on until we have an interim consultant or a full time Town Planner, welcome Chris, thank you for coming.

Chris Greenlaw: Thank you.

II. PUBLIC HEARINGS

None

III. PUBLIC PARTICIPATION (relative to items not listed on the Agenda-each speaker limited to two minutes)

None

IV. MINUTES

January 25, 2012 – Regular Meeting

Commissioner Sobieski moved to accept the minutes of the January 25, 2012 Regular meeting. The motion was seconded by Commissioner Woods. The vote was unanimously in favor of the motion with seven voting YES.

V. COMMUNICATIONS AND REPORTS

None

Chairman Pruet: I was talking to Ed last week and he said in his twenty-two years here, this is the quietest the Commission has been. It's kind of a reflection I guess on the economy and the recession, or it could be the lull before the storm too.

VI. NEW BUSINESS

A. Review of Auto Related Use Draft Zoning Regulation Options

Chairman Pruet: The last couple of meetings we have discussed about reviewing our auto related uses and we've had copies presented to the Commissioners to make themselves aware. Ed, if you can bring us up to date and give us some of your comments and concerns.

Ed Meehan: Okay. I sent the memo out with the agenda dated January 31st, just an outline of an option for the Commission members to consider how to bring back auto related uses into the regulations. We had been discussing this a couple different times and so the memo basically is an outline and what I have on the table in front of the Commission members, I have some copies available to the public at the end of the table if they would like to follow along, is suggested amendments that would reinstitute auto related uses in the zoning regulations continuing to regulate auto related uses by Special Exception, Section 6.11 and bringing it back into the regulations for the Berlin Turnpike Business Zone, that's the area basically north of Ann Street to the Wethersfield town line, Planned Development Zone which is the south end of the turnpike and the westerly end of Kelsey Street and Pane Road, and there is some PD Zone over on Cedar and Fenn, and in the Industrial Zone. It's already permitted in the Industrial Zone by Special Exception. The zones that it would not be permitted is the Business Town Center Zone, which is already expressly prohibited in the Business Town Center Zone, and in the B Zone. There are three, no four B Zones and B zone stands for neighborhood business. That would be like at the end of Stoddard where 7-11 is, the corner of Hartford Avenue and Stoddard and Main Street, New Britain Avenue and Maple Hill and then the corner of Cedar and Fenn where there is an existing gas station. Those existing uses and there are auto related uses in those areas that I mentioned would be in some respects legal conforming uses because they pre-exist the regulations in 2007 when this section was removed and even though you are putting it back in, it wouldn't affect those three or four small neighborhood areas, but they would still be protected as legal non-conforming uses. And the other thing that the Commission members asked about was to take a look at the design standards. I didn't want to basically, I'll say tinker with these too much, because they have been in the regulations for decades in Newington as far as the distance from residential areas, the distance from intersections, churches, schools and government buildings and we already have provisions for buffering for auto related uses, so I didn't change these very much at all. Again, the concern creating a non-conforming situation, or creating design situations that a site just can't meet and therefore may not be usable. So as you can see, one suggestion, again going back to the Plan of Conservation and Development is the concern for residential neighborhoods adjacent to the Berlin Turnpike corridor. So one suggestion to consider is to have a, instead of a fifty foot buffer from a residential zone, increase it to a hundred feet. Now that is going to have more effect in the Berlin Turnpike Business Zone, the northerly third of the turnpike, than in the Planned Development Zone because the areas along the northerly section of the turnpike that tend to be the older section of the turnpike as far as development and adjacent residential areas, and the residential neighbors in that part of the turnpike are right up to the back of existing

commercial developments, particularly in the Brockett Street area, and south of Brockett, and East Robbins and if you go up, some of the areas along the back of Main Street like Churchill Bridge is along the back of existing commercial development. As you know, there is very little vacant land anywhere on the turnpike, I think I can tell you, there's probably three lots right now that are basically vacant that don't have development on them, but I believe there are several situations where an additional development of some sort could be accommodated on a piece of property, or as we have seen historically, the value of the Berlin Turnpike real estate is such that businesses will consolidate and recycle property, and that has pretty much been the trend on the southern section of the turnpike from Griswoldville south down to Berlin so that is something to always be aware of. So I didn't change these design standards too much as far as separation distance. I did try to introduce some concepts of architectural review. We don't have an historic district and the turnpike is not in the Village District but we had talked about some way of getting some site orientation so we're not looking at a bunch of overhead doors from the public street side and the concern about the façade of a building, not necessarily having all steel or all glass but a combination of split face block, maybe some effus or drivet and uniformity of signage, so I introduced that into the regulations. I also took a look at the Newington Business Park covenants and design restrictions because we do have two industrial parks which actually do have architectural design covenants. They are kind of vague, they have been in place primarily off of Pane Road on Rockwell and Progress Circle, and I think for light industrial warehousing buildings what we have there, built mostly in the 80's, is pretty good building's appearance wise and the sites have been well kept. The guidelines there just say, new buildings shall be designed to provide good appearance and to blend harmoniously with the development within the park. The exterior treatment of buildings shall be homogenous on all faces using esthetically accepted materials approved by the Commission as to color, permanence, and architectural conformity with other development within the park. I think what the Development Commission did going back to the early '80's and the Planning and Zoning Commission also was involved in this, they basically said you have to have some split face block, some brick, architectural materials that aren't one hundred percent like a butler building or steel building, and I think that has proven to be successful. So that may have some language that you can use in this section. There is precedent for that, that's why I bring that up. That was pretty much what I worked on. To get this in your regulations, the handout, it's pretty simple. Our regulations are based on what is called a cumulative principle. That means that uses permitted like in the Business Zone are permitted in the PD Zones which in this case would be the Berlin Turnpike Zone and the Planned Development Zone. So the only amendment that you would need to introduce is like in the Special Exception, Section 3.15 Berlin Turnpike Business Zone and you would just introduce Section 3.15.8 and that references auto related uses pursuant to the statutes and those sections of the statutes cover both your dealers and repairs as well as your gasoline service stations. So that would get it into the Berlin Turnpike Business Zone.

Commissioner Aieta: Question Ed. When you said gasoline service stations, we made a distinction between a service station that just dispenses gasoline and one that does repairs have we not in the past.

Ed Meehan: They have to, well, if they do both, they have to get both licenses, dealers and repairs as well as a gasoline station license, but the distinction that is made is we really haven't had the traditional older types of gasoline stations, they have been gasoline station/convenience stores without any auto related dealer license and so in that respect the Commission kept it as a Special Exception and the approval of those was removed from the Zoning Board of Appeals and brought back to Planning and Zoning, I want to say ten, twelve years ago. So.....

Chairman Pruett: On the convenience stores, those are regulated by the Department of Consumer Protection?

Ed Meehan: Yeah.

Chairman Pruett: Not Motor Vehicles?

Ed Meehan: Not Motor Vehicles.

Commissioner Aieta: So would that be part of that, do you envision that being part of this regulation?

Ed Meehan: I would still leave it under auto related uses. The catch-all phrase in Section 6.11, it talks about other related uses and the Commission has looked at car washes under this, we have look at car rental service areas, anything with outside storage of vehicles, would be required to go through a Special Exception process. Dealerships obviously, used car, new car dealerships would all go through this process. That's not really new, limiting to certain zones is new. So if you put in Section 3.15.8 which is the Berlin Turnpike Business Zone, covers all of that geography and then because the regulations are cumulative the PD Section refers back to uses permitted in Section 3.15 so it is automatically available to property owners in the Planned Development Zone. They would come in for a Special Exception and as I mentioned, it's already in the Industrial Zone so those are the three zones...

Chairman Pruett: By Special Exception.

Ed Meehan: By Special Exception so now you would have it in the Berlin Turnpike Business Zone, the Planned Development Zone, and the Industrial Zone. As far as the new standards, it's supposed to be Section 6.11 here on top, not Section 6.10 on that last page.

Chairman Pruett: It's 6.11?

Ed Meehan: 6.11. These are all supposed to be 6.11. Under 6.11.5, that's where the hundred foot separation distance comes in. It now says fifty feet from a residential zone. If the Commission wanted to strengthen that, or sort of follow some guidelines from your Plan of Development, maybe widening that to a hundred feet might be appropriate. An applicant can still ask for a modification. Under your regulations by two-thirds vote the Commission can reduce this down to fifty feet, if you left it at fifty, no less than twenty-five feet.

Commissioner Aieta: How are we defining the, where you start measuring the hundred feet from? Is it from property line to property line?

Ed Meehan: It's from, yeah it would be.....

Commissioner Aieta: Any part of the property line to property line?

Ed Meehan: Any part of the property line, yeah.

Commissioner Aieta: Well maybe we should put that in because there have been instances where people don't understand that the, how you take your measurements and they come in and they question the distances.

Ed Meehan: Some parts of our regulations, well I know on liquor, it's front door to front door.

Commissioner Aieta: Yeah, but I think we should define it in this regulation.

Commissioner Sobieski: Ed, I have a quick question. When we're saying thirty feet on 6.11.1, thirty feet from any street line, are we including the town right of way, state right of way in that area?

Ed Meehan: Yes.

Commissioner Sobieski: So when what happens if the road is widened?

Ed Meehan: Well, this is the street line, it's not the, it's the right of way line.

Commissioner Sobieski: It's the property line.

Ed Meehan: It's the property line, yes. If the road gets widened and they take the property to widen it out, the property line is going to change and when they make the adjacent property non-conforming in that thirty foot setback.

Commissioner Sobieski: That's what I was wondering because street line usually refers to the edge of the street, but you say property line, that's what I was confused about.

Ed Meehan: We could say street right of way.

Commissioner Sobieski: I would say right of way line. Right of way. It would be just my opinion, but having dealt with DOT for many years we have a street line, which is the gutter line of the road, and the property line which is the property line between what the state owns and what the property owner owns.

Ed Meehan: We could say street right of way property line, that cover?

Chairman Pruet: You think the definition of the hundred foot would be appropriate in here too Ed?

Ed Meehan: Yeah, I think, any vagueness in here, like, these first three or four subsections haven't been looked at, but if there is vagueness in the Commission members minds.....

Chairman Pruet: Because it does come up. Contractors coming in and saying it's kind of interpretive. We interpret our own regulations, but it would be better business practice if we could redefine it. What would you say would be a good sentence for that?

Ed Meehan: Well, let me think about that....I think we should say from the perimeter of any property line, property line to property line, but let me give you some language.

Commissioner Aieta: What item are you looking at?

Ed Meehan: That would be Section 6.11.5, to clarify how it is going to be measured. Then new Section 6.11.6 and 6.11.7, the bold is the attempt to get some design control in here. Again, that could be, we could blend some language from the Development Commission standards, their architectural standards if you felt that was appropriate. That's pretty much how you could get this back into your regulations. As I said before, you have to be aware of your plans of development and how you rationalize that. I think strengthening the buffer may help rationalize that, the buffer along residential boundaries and drafting the architectural review might help too. The plan is advisory.....

Chairman Pruett: Yes, advisory, not mandatory.

Commissioner Lenares: Ed, I have a question. Can you just explain what you mean when you say wall signs shall be uniform in size, design and lighting. I understand lighting in terms of brightness or obviously the words we talked about, flashing, so I understand that, but what to you mean by uniform size of sign?

Ed Meehan: Well we try to ask, if it's a single building or a single tenant to have the same horizontal sign band, so the signs are not up and down across the face of the building, and some uniformity in letter size. Just so they read better and there is standardization. We really can't regulate color.....

Commissioner Lenares: That's why I asked, even for size. I know it has to be a certain size according to our regs, but like, you say, you can't regulate color, I don't know how you would ask them to regulate size.

Ed Meehan: Well, we do it through this uniformity principle where you have multiple tenants in the same plaza....

Commissioner Lenares: Okay.

Ed Meehan: That may not be the case in some of these auto related situations but the idea is to, all the signs are to be a certain height across the top of the building and they are going to be maybe eighteen inch letters and then we have had situations where one of the tenants wants to use red, glowing letters and we can't say they can't be red, but we can say you have to tone it down a little bit because there is residential across the street or we had some situation where the red, some Commission members thought was an issue with traffic safety, but we haven't delved into the issue of color. We can do that in the town center, you can regulate color in the town center, but not out on the Berlin Turnpike.

Commissioner Lenares: You can do it in the town center?

Ed Meehan: Because of the village district standards.

Chairman Pruett: Color schemes, everything....

Ed Meehan: You can tell them they have to have a yellow, beige color, brick, but not in the general business areas. So that is what the uniformity concept is.

Chairman Pruett: Can you just redefine again what the cumulative principle is?

Ed Meehan: Well, generally, in layman's terms, are the regulations that permit uses by right in the Business Zone, and then uses by Special Exception in the Business Zone flow to the next commercial district which in our regulations is the Berlin Turnpike Business Zone, so rather than repeating those same generic uses over again, the regulations just refer back to the prior section and that is the way that they sort of aggregate through the regulations. When you get to the Industrial Zone, that cumulative principle doesn't apply. Our Industrial Zone is more exclusive zone intent and we list the specific uses. Light industrial warehousing, and so forth so that is the intent there.

Chairman Pruett: Okay, while we have Ed here, other Commissioner comments on this?

Commissioner Woods: I wasn't here last meeting, but I mean, I just want to go on record that this seems to be a very good thing, we should do it soon, rather than later, only because this is the time that we want to fill empty buildings and I don't know that we can be picky on what we get on every level. I think there are a lot of good spaces that can benefit from this competition. It's a good thing for everybody.

Chairman Pruet: Okay, thanks. Anybody else?

Ed Meehan: I failed to mention, I just want to call this to your attention and see if this is a standard that Commission members feel is practical, Section 6.11.7, at the end there. It talks about a parcel size not less than three acres. That's where you have, in that case you could have a site and that's a fairly large site on the Berlin Turnpike where you have multiple buildings and one of the buildings might be an auto related use, a couple other might be service uses or retail uses, so I mean, I just picked that number, I could have said two acres, a minimum parcel size is one acre for a development site on the Berlin Turnpike. Given the various setback requirements if you have multiple buildings on a master plan site, you are probably going to need at least two or three acres.

Chairman Pruet: So by the same owner you're talking about?

Ed Meehan: Yes, and then the out parcels are controlled by land leases, an example might be, obviously a big example is Wal-Mart where you have restaurants and a bank and an auto related use in Wal-Mart on the north side. One of the biggest examples is Newington Fair. Stew Leonards and then different ownership. There are not a lot of three acre sites, I checked our GIS system. The Hunter Development site at the corner of East Cedar Street and Russell, the one that the Commission approved a few years ago for auto related uses, one auto related use which is grandfathered, the gas station, that's a ten acre site. Going down the turnpike there's the Gateway Plaza site way down the end on Rowley Street which was approved for commercial uses, there is the, I think it's called the Garafalo site next to the rental storage facility, part of it is accessible from Prospect Street and part of it fronts on the Berlin Turnpike just on the other side of the Hartford Vet building.

Chairman Pruet: It's about four or five acres isn't it?

Ed Meehan: It's a big site, but it's sort of a dog leg situation, and that's pretty much it. The former Krispy Kreme site, now that they have added to it may be a three acre site, I'm not sure about all of the real estate there.

Chairman Pruet: Now by Special Exception can that be reduced from three by a two-thirds vote to go to two acres, or one acre or something or.....

Ed Meehan: No, that's the standard. The only thing in the regulations where the Commission right now can reduce anything is by the buffer.

Commissioner Woods: Ed, the pad sites, like the Appleby's pad that is at the Wal-Mart Plaza, would that be included in that? Could an auto related use go in there?

Ed Meehan: Yes.

Commissioner Woods: And like Stew Leonard's has that pad site between the gym and the.....

Ed Meehan: Yeah, but obviously there are a lot of parameters that you want to look at there because of the traffic and the parking, but I think there is a six acre pad site. It could go in there, and there's no residential there, so you don't have the setback issues. If you feel that that's too restrictive or you don't want that standard at all, or I can give you more information on some of the parcels at this point in time that could be affected. Property lines can change as owners acquire adjacent properties, and make their parcels larger.

Chairman Pruet: What is everyone's thought on this so far?

Commissioner Lenares: I like the fact that you have it with parcel size being considered, I just don't know, like you said, you chose three, I don't know if three is too big, or two, and as the Chairman said, is that something that can be reduced or increased and Ed said no, so I don't want to shun ourselves either.....

Ed Meehan: Right, you could lock yourself in with this standard.

Commissioner Lenares: Right, so I mean, going forward, do you think three is too big, I mean I know that you chose three but.....

Ed Meehan: Well, I think, on the Berlin Turnpike it's going to have some restrictions, knowing the property situation there now....

Commissioner Lenares: So would two be better? I think it's good that you have that there, because you could envision it I don't know where, but somewhere in town where they have at least one acre and that's what the regs say, and then they want to shove something else in there.....

Ed Meehan: This controls the density.

Commissioner Lenares: Yes, it's nice, I like this, but maybe three is too big?

Commissioner Aieta: You are talking about multiple tenant sites, you are not talking about a standard, an individual stand alone site, would you have to have one acre...

Commissioner Lenares: I understand.

Commissioner Aieta: But this is, you are talking about a multiple building site, a multiple tenant site. So, three acres is not a lot of land.

Ed Meehan: You're right. When you apply the setbacks and the frontage requirements and your green space for parking, and you apply, if you do apply your front yard green space on the Berlin Turnpike, you might, the developer is going to need all of that to get any sort of floor area on the site.

Commissioner Lenares: You had brought it up and said three might be a.....

Ed Meehan: That's why I wanted to put it on the table now and not, if you've got a hot prospect, and you've got three acres.....

Chairman Pruet: Okay, further comments on this? Any other thoughts?

Commissioner Anest: When we are talking about auto-related, are we talking about, I know what we are talking about, but can somebody come in just like an auto repair, with no retail?

Ed Meehan: Yes. That would qualify them under DMV, Department of Motors for a license. An example would be another Modern Tire or.....

Commissioner Anest: But they sell tires, they're retail. I'm thinking like, I don't want to throw a name out, but like an auto body shop.

Commissioner Aieta: But there are so many licenses that are given out in the town, is that correct Ed?

Ed Meehan: No.

Chairman Pruet: Liquor.

Commissioner Aieta: They are pre-set in the zones that are, right now that are existing that can be used as auto related uses, so that when we open this up it could be any parcel.

Ed Meehan: Any parcel that meets your standards in those three zones, Berlin Turnpike, Planned Development, Industrial, but let's say somebody had a one acre site and they just wanted to do truck repair, they could come in and apply for a Special Exception and that would be it. I would think that would be a stretch because you know these places always have ancillary services, they provide equipment, supplies, tires, you name it.

Commissioner Woods: Ed, in 2007 this was changed, that's when it was originally.....

Ed Meehan: It was deleted from the regulations in 2007 from the Business Zone and that's where this, it ripples all the way through the regulations except the Commission wanted to keep it in the Industrial Zone at that time.

Commissioner Woods: And at that time there was an abundance of this, or it just seems like it is the polar opposite of that now, we don't have a lot of these businesses in town any more. It seems like there were a lot more prior.

Ed Meehan: Well, I don't think anybody has left, so I think the status quo is the same, I think the sense was, particularly on the Berlin Turnpike, the concept was to promote the Berlin Turnpike as more of a regional commercial center for retail business service uses and food uses and the other thought by some Commission members is, if you don't want it, take it out of the regulations. Simple as that, don't expose yourself to a Special Exception situation. There are probably over sixty-five licensed auto related uses in Newington right now. A lot of those really aren't for the general public. I would say maybe ten or twelve of those have a DMV license because of the type of services they provide, H.O.Penn is a classic example. Thompson has one, of course, they are going out of business, PBE, the one down on Pane Road that sells heavy equipment, there's quite a few that because of the trades, they need it. They are not providing any services to the general public.

Chairman Pruet: Before I open this up to the public, any other comments from Commissioners?

Commissioner Anest: If we wanted to, could we limit this just to auto related uses with retail? If we didn't want to open ourselves up to auto body repair?

Commissioner Aieta: You can do whatever you want.

Ed Meehan: It's going to be kind of hard to regulate that? You mean, they would have to have a retail component? I mean, they could be selling those things that you hang on your mirror to make the car smell good, you know, that's retail. It gets really.....

Commissioner Lenares: What would be the difference Ed? I mean, if they meet all of the regulations.....it's still by Special Exception, but what would be the difference?

Ed Meehan: I don't see any difference, really. Special Exception gives you site plan review, it will give you some building I think review with this, obviously location standards.

Commissioner Aieta: I know where you're coming from Carol, but I think you could, if you do it right, and beef up the Special Exception section of our regulations, you can control the outside storage, you would have none, and keep everything inside, eliminate all of that.

Commissioner Anest: That's what I'm visioning, and I can understand why they took it out, because they wanted to seal it up tight, but yet I think this is a positive thing, but we need to have some control of the appearance.

Commissioner Aieta: The biggest part is outside storage. If you stay tough on that, then you could eliminate those kinds of situations and still have an auto repair shop if everything is done inside. No registered vehicles are left outside, no unregistered, there's a whole bunch of things you could add to this.

Commissioner Hall: How would a used car lot fit into this?

Ed Meehan: That would be an eligible use. It would be a dealer's license. Some places do body shop work, they do, get the cars ready, painting and there are some auto related uses that sell a few used cars right now in Newington.

Chairman Pruet: Basically regulated by the Motor Vehicle.

Ed Meehan: Yes. I know that the Zoning Officer, there's a couple places where they are parked too close to the road, they're parked in the road in some cases, they're parked on lawns, we try to keep them in designated areas, the Commission's practice has been that you can't display more than four cars out front, in some of the newer ones.

Chairman Pruet: We've tightened that up in the past.

Ed Meehan: If you have a measurable standard and a location standard, it's a lot easier to enforce.

Commissioner Woods: Section 6.10.4, no sale, display or rental in the front yard, wouldn't it kind of fall under that?

Ed Meehan: Yes.

Commissioner Woods: So they would be held to nothing in the front?

Ed Meehan: The front yard is a zoning term, it means from the property line of the street line, it could be like thirty feet in, and then the building could be back say sixty feet, so you've got thirty feet still you could put some cars out there. I mean, this is their merchandise and in some respects they have to be able to display it. A reasonable number has to be able to be displayed, that's how they do business.

Commissioner Hall: That's like on Pane Road, Eastern Products, the one that has the big machinery....

Commissioner Aieta: PBE, and they are set back behind a fence and I live over in that area, and it's not that offensive because they keep it pretty good.

Commissioner Hall: And they are usually new.

Commissioner Aieta: Yeah, they are all new material and then you go down and you get the auto place that has been there, the old Muzzy's place, Connecticut Auto, they are almost on the street, right on the S curve.

Commissioner Hall: Is that Salem Motors?

Commissioner Aieta: No, before that and then we just approved one on the, right next to the corner...

Ed Meehan: Next to Mike Gronski's.

Commissioner Aieta: Next to Mike's Auto we approved one and he displays three or four cars and he obviously is in the front yard. That is not that offensive, but the other one we have a problem with it, he's right in the road and on the grass.

Chairman Pruet: Okay. Anyone from the public wishing to comment on this? We will open it up to the public for their views, or insights, or concerns. Ed, if you could maybe come up with some, I liked what Frank had to say, if you could come up with some kind of language to redefine what the property distance would be on that 6.11.5.

Ed Meehan: Let me look at that, Stanley mentioned clarifying the street line measurements, do you want me to give you some draft language similar to what we have in the Development, work that in?

Chairman Pruet: Yes, I like that, if we can coincide that, it kind of beefs it up a little, what the building can shape up to be.

Commissioner Lenares: What did we use "front door" for?

Commissioner Hall: Drive throughs.

Commissioner Lenares: Because of the speakers.

Chairman Pruet: Yes.

Ed Meehan: At your direction, do you want me to revise this and as a draft submit it to the regional planning agency to start the review process?

Chairman Pruet: Yes, it has to go to CCROG. Yes, I would.

Ed Meehan: It can be a thirty day review process.

Chairman Pruet: Yes, we could start this because next we are going to move to put this on for Public Hearing.

Ed Meehan: So if you get that going with the RPA, regional planning agency, you could hold your public hearing in like three weeks.

Chairman Pruet: Once we get the reply back. Okay, so is it, the consensus is that this is a favorable idea to move forward with the parameters that we set here? Is that I guess I'm looking for feedback from people on the Commission on that.

Commissioner Hall: I'd like to see what the public has to say.

Commissioner Lenares: I think we still have to wait and see.

Chairman Pruet: Oh, absolutely.

Commissioner Lenares: It's a great start.

Chairman Pruet: Right, if we thought it wasn't a good idea we'd stop it if it wasn't worth going forward to hear what the public says under an official public hearing.

VII. OLD BUSINESS

None

VIII. PETITIONS FOR SCHEDUING (TPZ February 22, 2012 and March 14, 2012)

None

IX. REMARKS BY COMMISSIONERS

None

X. STAFF REPORT

None

**XI. PUBLIC PARTICIPATION
(For items not listed on the agenda)**

Rose Lyons, 46 Elton Drive: Well, maybe you better get a microphone and put it out more towards the audience because I see that Mr. Spencer had to move up so he could hear what was going on. We were having difficulty hearing too.

Chairman Pruet: Yes, we're quite aware of that.....

Rose Lyons: I know that you are working on it, but you know, I've got to get it in every time.

Chairman Pruet: That's okay.

Rose Lyons: It's funny, because I noticed at the Town Council meetings we in the audience can't hear what they are saying, but when they are sitting at the table whispering to one another, you can hear it loud and clear over on CPTV, so beware.

I notice again that there is no Town Council liaison here at this meeting, and I was over at a meeting of the Town Council in Wethersfield last year regarding the Toll Brothers project, and in reviewing the minutes of their meetings, I saw that their Town Planner gives a monthly

report to their Town Council. I don't know when Ed's replacement comes in if that is an option, but maybe we can have somebody show up at a Town Council meeting and give the Town Council an update. It's something to think about. I didn't want to put it on your plate Ed, you're gone.

Ed Meehan: Well, they get a monthly report from all departments now.

Rose Lyons: Do they? Well, it's not shared with the public at a public meeting. I've noticed that even the Town Manager's monthly report doesn't get reviewed like it used to get reviewed and I understand because there are time constraints, but the other thing I was wondering is if our Zoning Enforcement Officer still posts a monthly report on the web site of complaints and what the status is? Over 18 months ago I made a complaint regarding a property and last January I was advised by the Zoning Enforcement Officer that the matter had been turned over to the Town Attorney. Two or three weeks ago, take that back, two weeks ago I wrote and wanted to get an update on the status and I understand that, and I was hoping that I was going to get something from the Town Attorney to do something about the issue that has been going on for twenty years, the car that I reported is still sitting on the property, or at least it was as of Christmas Day. But I wanted to know if that report is on the web site. That's it, thank you.

Chairman Pruet: Just to further explain, I've contacted Mr. Hanke and told him that I want that report of zoning infractions on a quarterly basis and also for him to attend and give that too on a quarterly basis so that will be resurrected.

Maidy Kinny: I just want to let you know that I'm making my will and I'm having it put in that I will donate digital recorders, so just take care. I'm not planning on going any where soon so take it from here. I don't know if this is the place or the time, I'm not sure, I'm still very concerned about the busway. I understand that it is a done deal, I don't know if there is anything that anyone can do about it, I know that in the meetings that have been in the past there has been pretty much general consensus that nobody wants it, except the Federal government and Mr. Malloy. One of the things that was a major concern is the potential for high density housing to be going in at these various junctions and I know that Councilwoman Klett voiced her opposition to this and the concern that if it was in the reports of things, everybody says no, there will be no problem with high density housing yet in all of the information that comes out about it, high density housing is mentioned and I'm not sure quite what that means. Does that mean that Newington doesn't have to have it if we don't want it, or is this part of an entire package that we have to accept whether we want it or not. I don't know whether you guys have anything to say about it, I know that I would be very distressed to see high density housing come in and I don't want to be told, oh no, it's not going to, and then all of a sudden find out that it is here.

Chairman Pruet: Thank you. We have transit oriented development correct Ed?

Ed Meehan: That's what it is called.

Chairman Pruet: If you could answer?

Ed Meehan: Well part of the concept of the busway or any light rail or any of the long range planning being done for the New Haven-Hartford-Springfield line, or anywhere along the I-95 corridor is to have at certain locations, usually at places where there is already existing junctions of roads and rail, transit oriented development. The concept that is promoted around the country is within a quarter to a half mile of that intersection there will be mixed use development of a higher density, and by higher density it could be higher floor coverage,

instead of two stories maybe three or four stories, instead of maybe five units per acre, maybe it's fifteen units per acre of housing that takes advantage of the mass transit. Some of this is supposed to be called smart growth because in those areas, particularly in Connecticut and older sections of New England the smart growth concept is, that's where we already have the infrastructure. The roads are in place, utilities are in place, you're not plowing under existing green space, you're perhaps using obsolete land or brownfield property and turning those into productive economic areas. The density issue is a local decision. The housing is a local decision in Connecticut. We don't have county government, we don't, the State doesn't control local land use decisions, but they have an awful lot of, or could have a lot of influence through financial incentives through grants or through regulatory procedures to try to facilitate making transit oriented development happen. The reason transit oriented development makes sense from a transportation point of view is that the studies have indicated that if you had 80 to 100 houses within a quarter mile of a bus stop or a light rail stop, sixty to seventy-five percent of the people who live in that area are more apt to use it to get to an employment destination. That's on the premise that there is a nearby employment destination that has direct service, A to B. It may not work on our busway system, particularly in Newington because of the, I would say probably fifty percent of the busway is restricted because of the nature of wetlands between Cedar Street north all the way up to the Piper Brook system is all inland wetland system and flood plain system so you're not going to have development there. The only real transportation nodes, to use another jargon planning term, is either at the old Cashway location, Newington junction or possibly Cedar and Fenn. The decision of what to put around those two areas is a purely local land use decision. Outside of New England, if you go to some places where they have introduced light rail these are higher density larger metropolitan areas it works very well. You have a population that doesn't have cars. They don't have to rely on cars and it's a younger population, professionals, and they don't need cars.

Commissioner Aieta: But you are talking about Boston, areas like that. You are talking about big metropolitan areas, not small towns like Newington.

Chairman Pruet: Just to reinforce what Ed said, bottom line, it's the Town Planning and Zoning Commission that has the oversight of what we have for development.

Ed Meehan: I don't see it happening in Connecticut where the state is going to come in and say, we are going to make you change this to high density housing and, what they are more apt to do is say, you are not going to get that low interest loan or grant to get rid of a brownfield or do the infrastructure you want unless you do high density.

Commissioner Sobieski: It sounds like it's tied in, if you don't do this, you don't get that.

Ed Meehan: Well, I think you see that, I saw that, I wrote three grant applications for National Wetlands and despite even having EPA money to do the environmental assessments and the remedial action plan which brings us to, we're in the red zone so to speak, to get the project done, without having the other side of it, the land use side of it, I don't see the town getting grant money to take the next step to tear the building down and remediate the site.

Commissioner Aieta: Ed, just one comment on this, just so you know, when we did our 2020 Plan in that language that we have in the 2020 Plan it specifically said that we don't want additional high density housing in the Town of Newington and I was very forceful in making sure that language got in there, and I will be, if it does come to this board, my opinion is that we should not have high density housing in those areas.

Maidy Kinny, 52 Crestview Drive: I misused the word report before, it was grant and what Maureen was concerned about was just what you were talking about, if we don't do this, we can't get that, and wanted very strongly to have that wording taken out, any reference to the housing and there were I think five towns involved, and our Council, Maureen, many people felt they wanted that phraseology removed to make sure that anything that was decided on was not inclusive of housing and that type of thing.

Commissioner Aieta: You can see the ramifications already, he's put in grants that they are not looking at because of, we don't have that element in our, or not yet.

Commissioner Anest: That grant that you are talking about....

Ed Meehan: It was called the Brownfield Pilot grant.

Commissioner Anest: Right, we got denied that?

Maidy Kinny: Was that ours, or for the five towns? The whole five towns got rejected?

Ed Meehan: No, there was five million dollars available statewide for transit oriented sites that include a brownfield remediation component and five were selected. I think there were fifteen or twenty that were rejected, we were one. Actually, I think New Britain got selected and what they got selected for ironically, just to vent a little bit, was for more planning studies. Streetscape studies and I think our grant application and one other community was the only one that was, I call it bricks and mortar, getting something done type study.

Maidy Kinny: Is there any connections with the people in West Hartford, people talking between Newington and West Hartford about this whole thing, because it seems like West Hartford does not want to be on board for any of this planned development.

Ed Meehan: There are meetings that are very carefully studying it from an economic development point of view and I would put West Hartford in that, I don't think they are going to pass on this, I think they will come up with something.

Commissioner Aieta: There have already been contracts that have been advertised for, there's been awards made to contractors for earth work and so on and so forth, so it's going forward.

Chairman Pruett: Anyone else from the public?

Michael Fox, 1901 Main Street: I'm glad Mr. Meehan had mentioned the impact on the Inland Wetlands, as he said, along Cedar Street and Fenn Road there are a lot of wetlands. The other day, I forget what day it was, the DEEP made a statement in the paper that they found that there would be no significant impact on the inland wetlands, and I see that Stanley is kind of smiling at that one, but last night at the Environmental Quality Commission meeting, and before I say anything, I'd like to say, that Commission is not a policy making Commission, it's just an advisory Commission, but we talked about not necessarily the inland wetlands and conservation along the busway, but about the impact that it would have on wildlife. I think we are all aware from what had said at the Toll Brothers hearings that there were deer, fox, and they all use this abandoned railroad beds as kind of a highway to get from one place to the other, and there will be barriers put up along there in order to protect the bike trails so the deer, the fox, whatever wildlife use it to go in and out of the woods, they are not going to have any other place to go. So once again, the only place they will have to go will be resident's back yards. They also haven't it does seem, planned for snow removal

and this would have to be snow removal because there is no place to put it. Taking a look at it, there would be no place to put the snow, they would have to keep removing it. That would cost a pretty penny, and I know our fire marshal is looking for hydrants along the way, because those buses just might have a tendency to burn, so they should have hydrants every 1200 feet, but they won't so it's an ill-planned thing and the reason that I'm bringing it up is because we decided at the Environmental Quality Commission to send a letter to the DEEP before the 15th, explaining why we think this is not a good idea and hopefully there will be more studies. Thank you.

Chairman Pruett: Thank you. Anybody else?

XII. CLOSING REMARKS BY CHAIRMAN

Chairman Pruett: Due to an extremely light schedule on the agenda, like I mentioned before Ed said this is the lightest he has seen it in his tenure here, twenty-two years, upcoming school vacation, and the fact that we are in the process of hiring a temporary consultant to fill Ed's place until we have a full time Town Planner which will probably take place in April, I'm going to be postponing or canceling the February 22nd meeting and the March 28th meeting. We will have our regular meeting on March 14th. As I said, these are the reasons why because of the extremely light work load, there is nothing in the hopper, and until we get a consultant on board, to give us some time to do that, those are the reasons for that. This is the Town Planner's last official meeting tonight, we just can't think him enough for all he had done for the Town of Newington. He's done an outstanding job, and he will be officially thanked tomorrow night, so any Commissioners like to say a few words at this time?

Commissioner Anest: I'll start. Ed, it's been a pleasure, and good luck on your new career, we'll miss you, but the next time that I'm in Chester, I'll come and visit you. Thank you for everything that you have done.

Ed Meehan: Thank you. It's been very enjoyable to work with you folks.

Commissioner Lenares: I don't think a lot of people realize how many hours you actually are here. Some people might not know that you actually work during the day too, since you are here at eight o'clock at night, but you are actually here during the day, and I know that during your twenty-two years you have probably worked with a lot of different people, different mayors, different town managers, the building department and the town is a little bit at a loss that you are leaving undoubtedly, and I say in full confidence that you are undoubtedly the most knowledgeable person in this town. You know every brook, nook and cranny and sidewalk and parcel that is developed or undeveloped and as far as my experiences with this Commission it was great to have you here. You are a huge asset. I've asked you for things, or to explain things, you've always called me back, or e-mailed or whatever and the town is at a loss, this Commission is at a loss so those are some big shoes to fill for the next guy or woman, so thank you.

Ed Meehan: Thank you.

Commissioner Hall: I don't want to keep saying the same thing over, but it's tough when you lose the history. Dottie Carey, anyone who remembers Dottie Carey, she was in the assessor's office, and she too had the knowledge of this town as you do. At this point, who is going to be the go to person? That's what we miss the most is instead of having to research something you go to the person and the person has that knowledge right then and there. You might want to use the research as back up and verification but certainly, and how do you replace that? You don't. So, you are irreplaceable.

Commissioner Sobieski: Ed, in the short time that I have worked with you, you are very knowledgeable about this town, and what happens unfortunately is that people like you retire, all the knowledge and experience that you have go with you. This town is going to have a very big loss to try to fill those shoes. I don't know, I hope Chris is up to the task, we're asking a lot, at least to walk around and know where all the brooks are and their names, again Ed, the town is losing a very valuable person.

Commissioner Aieta: Just good luck Ed, you did a tremendous job for the town. I've been involved with the Zoning Board for a number of years and my involvement in politics and I've watched you through the years and when I was not on the Zoning Board, and you have done a tremendous job for the Town of Newington and some of the good things that you see in town are directly related to your efforts. I mean, the work that we have done on the Berlin Turnpike, if you go back thirty years, thirty, forty years, the difference between that Berlin Turnpike is tremendous and a lot of that has to do with what you have brought to the table. I appreciate the work that you have done. Thank you very much.

Ed Meehan: Thank you. If I could just say, it's been a pleasure for me, you know, the time flies in a job like this because every day is a different experience. You come in with a couple of things on your mind in your commute to work, you think you're going to get something done, someone is waiting for you when you come in the door, and you go in a different direction. What I have been most impressed with and Cathy alluded to different staff members, is the volunteer Boards and Commissions that run Newington. We are very unique in New England and Connecticut, if we don't have our volunteer boards and commissions, you are here as residents, I'm a paid staff person so I put the hours in, but when we have volunteers that have as much knowledge as I've been lucky to work with, and they share that knowledge with me, it really makes my job a lot easier and Cathy mentioned Dot Carey, a wealth of knowledge. I sat down with Nels Nelson, in fact I came to work, if people recognize his name, Pete Arbur, the Town Engineer and just talking to those guys, what's going on here, what's going on there, this history that they would share with you was wonderful and so I know that Chris is hearing that, and he's picking up on it, and hopefully the next person will do it too and as long as you have good boards and commissions you are going to be in great shape. I think you are very good policy makers, you know what you want to do, I think you reflect what I hear around town and that's your job as land use makers. I think the quality that Frank mentioned is a reflection on the great land use boards that we have had here for the last twenty-two years that had an image, a vision and they stuck to it. Makes my job easy. I just have to propose it, you guys have to decide it.

Chris Greenlaw: Just to clarify, I just want to say one thing, in the interim, we are not only looking for a person, we're looking for a firm, a team of people to take his place and to work on everything that he does to prepare for these meetings and you know, best said, in the ten years that I have been here, in my capacity in engineering, I've told already, I've told Ed already he, I really look at him as the pulse, as a broad brush view. Anyone who walks in that door looking to do business in Newington, it's like, does it meet this use or where will it fit in town, and Ed's at the top of that pyramid, just greeting people when they come through that door, and we looked to him for guidance and not only that, it's day to day, it's not only this person here, but all of the other things, all the residuals, all right, this has been approved, when's it going to start, he doesn't skip a beat, and we're going to miss him.

XIII. ADJOURNMENT

Commissioner Aieta moved to adjourn the meeting. The motion was seconded by Commissioner Sobieski. The meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Norine Addis,
Recording Secretary